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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PRESTON BERMAN,

Plaintiff,

v.

CHRISTINE KOTEK, in her official capacity as GOVERNOR of the STATE of OREGON; ELLEN ROSENBLUM, in her official capacity as ATTORNEY GENERAL for the STATE of OREGON; DAVE BADEN, in his official capacity as Interim DIRECTOR for the OREGON HEALTH AUTHORITY; ALISON BORT, in her official capacity as EXECUTIVE DIRECTOR, of the OREGON PSYCHIATRIC SECURITY REVIEW BOARD; DOLORES MATTEUCCI, in her official capacity as SUPERINTENDENT of OREGON STATE HOSPITAL; STEVE GUNNELS, in his official capacity as the DISTRICT ATTORNEY for DESCHUTES COUNTY, OREGON,

Defendants.

Case No. 6:23-cv-01497-AA

DECLARATION OF CRAIG M. JOHNSON  
IN SUPPORT OF DEFENDANTS' MOTION  
TO CANCEL DEADLINES AND  
ALTERNATIVE MOTION FOR 6-MONTH  
EXTENSION OF TIME OF DISCOVERY  
AND PRETRIAL ORDER DEADLINES

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TO CANCEL DEADLINES AND ALTERNATIVE MOTION FOR 6-MONTH  
EXTENSION OF TIME OF DISCOVERY AND PRETRIAL ORDER DEADLINES  
CMJ/j3b/950496267

I, Craig M. Johnson, hereby declare:

1. I am an attorney licensed to practice law in the State of Oregon and I am a Sr. Assistant Attorney General for the State of Oregon. I represent the state Defendants in this matter.
2. I make this declaration based on my personal knowledge and/or in reliance on records kept in the ordinary course of business.
3. On February 8, 2024, I spoke with counsel for Plaintiff by telephone and conferred on the Motion to Cancel Deadlines and Alternative Motion for 6-Month Extension of Time. Counsel for Plaintiff stated that he did not object to my motion.
4. Counsel for the parties are currently in the middle of briefing issues related to Defendants' pending Motion to Dismiss (Dkt. #14).
5. Counsel for the parties believe that current deadlines set forth in this Court's Discovery and Pretrial Scheduling Order are impractical given the pending Motion to Dismiss and the need to resolve the issues set forth therein.
6. This motion is made in good faith and not for the purposes of delay.

DATED February 8, 2024.

Respectfully submitted,

ELLEN F. ROSENBLUM  
Attorney General

s/ Craig M. Johnson  
CRAIG M. JOHNSON #080902  
MICHELLE ENFIELD #152293  
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Of Attorneys for Defendants

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### CERTIFICATE OF SERVICE

I certify that on February 8, 2024, I served the foregoing DECLARATION OF CRAIG M. JOHNSON IN SUPPORT OF DEFENDANTS' MOTION TO CANCEL DEADLINES AND ALTERNATIVE MOTION FOR 6-MONTH EXTENSION OF TIME OF DISCOVERY AND PRETRIAL ORDER DEADLINES upon the parties hereto by the method indicated below, and addressed to the following:

Robert R. Parker  
111 SW 5th Avenue, Suite 3150  
Portland, OR 97204  
*Attorney for Plaintiff*

       HAND DELIVERY  
       MAIL DELIVERY  
       OVERNIGHT MAIL  
       TELECOPY (FAX)  
       E-MAIL  
X E-SERVE

*s/ Craig M. Johnson*  
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